K

1947

File No. B. Munis Bom City /47

Legal **DEPARTMENT**

B **BRANCH**

Subject:— A Bill to amend the City of Bombay Municipal Act, 1888. S. 140(a)

L.A. Bill. No. XXVIII of 1947

Bom. Act. No. XXI of 1947

J. 11

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File No. B. Munis Bom: City /47.

(Fifth Amendment).

Std. Sectt. Slip 24 B e.

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It will be necessary to undertake the proposed legislation to make it clear that the corporation is not precluded from making a profit on its water tax. The amendment can be taken up when the City of Bombay Municipal Act is next amended. The amendment does not require any sanction or recommendation under the Government of India Act, 1935, or affect any special responsibility of the Governxxxx or

Sd/- J.R. Dhurandhar
8/5

O.C.

Remembrancer of Legal Affairs.

U.R. to C.D., No 5088, dated the 8th May 1939.

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4 C.

The draft Bill at page 27 ante, as formally amended, is in order.

2. The subject-matter of the Bill falls under entry 13 in List II in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in List III in the said Seventh Schedule it will not be necessary to reserve the Bill for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935.

3. The Bill does not require any sanction or affect any special responsibility of the Governor under section 52 of the Government of India Act, 1935. It will however require his recommendation under section 82(1)(a) of the said Act.

4. The Statement of Objects and Reasons at p.29 ante, as amended, is in order.

Sd/-

D.V.Vyas

U.R. to C.D. No. 2263 , dated 6-3-1947

Mjr/10/5/

4 C.

The Bill to amend the City of Bombay Municipal Act, 1888, having been published in the Bombay Government Gazette, dated the 29th March 1947, these papers are returned to the General Department for further necessary action and for submitting them to H.E.(L.S.G.) for his use at the time of introducing the Bill. The General Department may now arrange to give the notice to the Secretary to the Bombay Legislative Assembly immediately.

2. The Bill will require the recommendation of the Governor under section 82(1)(a) of the Government of India Act,1935 The General Department will no doubt obtain the necessary recommendation in that behalf.

Sd/- M.A. Dhotre .

O.C.

for Secretary to Government.

U.R. to G.D., No. 3149, dated the 31st March 1947

Mjr/10/5

4 C.

General Department,

Bombay Castle, 9th April, 1947

ORDER.

No. S.108-A. .- In exercise of the powers conferred upon him by sub-section (1) of section 82 of the Government of India Act, 1935, the Governor of Bombay is pleased to recommend to the Bombay Legislative Council the consideration of the City of Bombay Municipal (Fourth Amendment) Bill, 1947

By order of the Governor of Bombay

for W.D. Bhansali

Secretary to the Government of Bombay,
General Department.

Mjr/10/5

4 C.

No. 4225
Legal Department

Bombay Castle, 25th April 1947

From
P.M. Lad, Esquire, I.C.S.,
Secretary to the Government of Bombay.

To.
The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the City of Bombay Municipal Act, 1888.

Sir,

With reference to section 75 of the Government of India Act, 1935, I am directed to forward herewith for the assent of His Excellency the Governor, an authentic copy of a Bill to amend the City of Bombay Municipal Act, 1888, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 8th April 1947 and on the 11th April 1947, respectively.

2. None of the provisions of the Bill affects any special responsibility of the Governor under Section 52(1) of the Government of India Act, 1935, or falls within the purview of clause (a),(b),(c) or (d) of paragraph XVIII of the Instrument of Instructions to the Governor of Bombay.

3. The subject-matter of the Bill falls under entry 13 in List II in the Seventh Schedule to the Government of India Act, 1935.

4. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve it for the consideration of the Governor General with reference to section 107(2) of the Government of India Act, 1935.

5. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

6. I am also to forward herewith one

6. I am also to forward herewith one

1.	Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons.	Copy of each of the papers noted in the margin.
2.	Bill as read for the third time and passed by the Bombay Legislative Assembly and as introduced in the Bombay Legislative Council.	
3.	Bill as read for the third time and passed by the Bombay Legislative Council.	
4.	Extracts from the proceedings of the Bombay Legislative Assembly dated the 8th April 1947 and of the Bombay Legislative Council dated the11thx April 1947	

The Bill was not referred to a Select Committee.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/- P.M.Lad /25/4

O.C.

Secretary to the Government of Bombay, Legal Department

Through

The Secretary to the Government of Bombay,

General Department

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4 C.

No. G.S. 1457

Office of the Governor's Secretary,
Government House,

Bombay , 30th April, 1947

From

D. Symington, Esquire, C.I.E., I.C.S.
Secretary to the Governor of Bombay

To,

The Secretary to Government,
Legal Department.

Subject:- The City of Bombay Municipal (Fourth Amendment) ~~April~~, Bill 1947.

Sir,

With reference to your letter No. 4224, dated the 25th April 1947, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the City of Bombay Municipal (Fourth Amendment) Bill, 1947

Your obedient servant,

Sd/-

Secretary to the Governor of Bombay.

Mjr/10/5

4 C.

Bills

A Bill to amend the City of Bombay Municipal Act, 1888.

15

GOVERNMENT OF BOMBAY
Legal Department
Resolution No. 3176
Bombay Castle, 29th March 1947.

Memorandum from the General Department No. S. 108 dated the 29th March 1947 --- Transferring for necessary action, the papers relating to a Bill to amend the City of Bombay Municipal Act, 1888.

RESOLUTION:- The Bill with the Statement of Objects and Reasons should be forwarded to the Manager, Government Central Press, Bombay, for publication in the Bombay Government Gazette, dated the 29th March 1947, as Bill No. XXXVIII of 1947.

2. The Bill and the Statement of Objects and Reasons should be translated into Marathi, Gujrati, and Hindustani (in Urdu and Devnagari the Bombay Scripts) ~~Gmx~~ and the translations should be published in the Bombay Government Gazette on the 31st March 1947.

3. The dates of the various publications should be reported to the Secretary to the Bombay Legislative Assembly.

By order of the Governor of Bombay,

Sd/-
D.V. Vyas.

Secretary to Government.

To.

The Manager, Government Central Press, Bombay (with the Bill and the Statement of Objects and Reasons and with a request that 230 Gazette copies of the Bill and the S.O.R. may be forwarded to the Secretary to the Bombay Legislative Assembly for distribution to the Members of the Bombay Legislative Assembly and 25 copies for the use of the Legal Department),
The General Department,
*The Oriental Translator to Government,
The Secretary to the Bombay Legislative Assembly,
The Director of Publicity, Bombay.
} With a copy of the Bill and the S.O.R.

* with five extra copies of the Bill.

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4 C.

ACTS

City of

Publication of the Bombay Municipal (Fourth Amendment) Act, 1947 *

GOVERNMENT OF BOMBAY
Legal Department
Resolution No. 4511
Bombay Castle, 3rd May 1947

Letter to the Secretary to the Governor, No. 4225, dated the 25th April 1947.

Letter from the Secretary to the Governor, No.G.S.1457, dated the 30th April 1947:

"With reference to your letter No. 4225, dated the 25th April 1947, I am directed to return herewith, with His Excellency the Governor's assent signified thereon, the copy of the City of Bombay Municipal (Fourth Amendment) Bill, 1947."

RESOLUTION:- The law should be published as Bombay Act No. XXI of 1947 in the Bombay Government Gazette, dated the 3rd May 1947.

2. The Act should be translated into Marathi, Gujrati and Hindustani (in Urdu and Devnagari Scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Health and Local Government Department with reference to the memorandum from the General Department No.S. 108 dated the 29th March 1947.

By order of the Governor of Bombay,

Sd/-
P.M.Lad,

Secretary to Government

To.

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 15 Gazette copies of the Act may be forwarded to the Legal Department).
The Health and Local Government Department,
* The Oriental Translator to Government,
The Secretary to the Bombay Legislative Council,
The Secretary to the Bombay Legislative Assembly,
The Director of Publicity, Bombay,
} with a copy of the Act.

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* With five extra copies of the Act.

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4 C.

Registered No.

The Bombay Government Gazette

PUBLISHED BY AUTHORITY

SATURDAY, 3RD MAY 1947.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART IV

(1) Acts of the Local Legislature of the Bombay Province and (2) Acts of the Indian Legislature assented to by the Governor General.

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The following Act of the Bombay Legislature having been assented to by the Governor on the 29th April 1947 is hereby published for general information.

P. M. LAD,
Secretary to the Government of Bombay,
Legal Department.

BOMBAY ACT No. XXI OF 1947.

(First published, after having received the assent of the Governor, in the "Bombay Government Gazette" on the 3rd May 1947.)

An Act to amend the City of Bombay Municipal Act, 1888.

Bom. II of 1888.

WHEREAS it is expedient to amend the City of Bombay Municipal Act, 1888, for the purpose hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called the City of Bombay Municipal (Fourth Amendment) Act, 1947.

Amendment of section 140 of Bom. III of 1888.

Bom. III of 1888.

2. In clause (*a*) of section 140 of the City of Bombay Municipal Act, 1888, for the words "with reference to the expenses of" the word "for" shall be substituted.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.